

COMPREHENSIVE GUIDE PLAN AMENDMENT APPLICATION

Return to:

Department of Community Development
City of Shoreview
4600 Victoria Street North
Shoreview, MN 55126
(651) 490-4682

Existing Land Use Designation: _____

Proposed Land Use Designation: _____

Site Identification:

Address: _____

Property Identification: _____

Legal Description: _____

Applicant:

Name: _____

Address: _____
City State Zip Code

Telephone Number: _____ (daytime) _____ (home)

Fax Number: _____ E-Mail: _____

Property Owner (if different from applicant):

Name: _____

Address: _____
City State Zip Code

Interest in property: _____
(see filing requirement #2)

Signatures:

Applicant: _____ Date: _____

Property Owner: _____ Date: _____

Date Received by City: _____ By Whom: _____

FILING REQUIREMENTS

THE FOLLOWING ITEMS MUST BE SUBMITTED:

1. Completed application form.
2. A currently certified Abstract of Title or an Owner's Duplicate Certificate of Title and copies of all unrecorded documents necessary to establish a legal or equitable interest by the applicant in the property involved.
3. A statement describing the intended use of the property, why you believe the City should approve the proposed amendment and how the proposal meets the criteria for review indicated below.
4. **One** folded and collated copy of the plan sheets, on 11"x17" half-scale print. **One** 8½"x11" reproducible print for each required sketch, drawing, or plan. **Four** 20"x30" copies of each plan sheet for staff review.
5. Filing fee of \$600.00 (\$100.00 for amendments to Natural or Residential), make checks payable to the City of Shoreview. **The filing fee is non-refundable.**

CRITERIA FOR REVIEW

The Planning Commission and City Council shall consider the following when making recommendations or decisions regarding the comprehensive guide plan amendment:

1. That the proposed designation will not facilitate development, which would have a significant adverse impact on the planned land use of the surrounding property. The City may require documentation to support said findings. The existing planned land use of the surrounding property shall be the basis for comparison from which to judge the impact of the proposed designation.
2. The following elements shall be considered relative to the site the characteristics of adjoining planned land uses: probably building mass differences, traffic generation, separation to dissimilar land uses; carrying capacity of the site (sewer, water, access, topography, etc.); and buffering potential of dissimilar but adjoining land uses.

REVIEW PROCEDURE

Comprehensive Guide Plan amendments shall require a public hearing and shall be processed in accordance with Sections 203.053 and 203.020 (A) of the City's Development Code.

1. Public Hearing. Applications that require review via a public hearing shall be processed after receipt of a complete application that contains all the required submittal information. The City Manager shall refer the application to the Planning Commission and establish a date for hearing of the application. The application shall be heard and acted on by the Planning Commission and City Council in accordance with Minnesota Statute 15.99.
 - a. Planning Commission. The Planning Commission shall hold a public hearing, preceded by published and/or mailed notice as required by the terms of Section 203. Upon review of the application in accordance with the requirements of the Development Ordinance, the Planning Commission will forward the application to the City Council with a recommendation of approval or denial and the reasons thereof, or shall table the application for further consideration.
 - b. City Council. The City Council may hold a public hearing in lieu of a public hearing by the Planning Commission. Upon receipt of the Planning Commission report, the City Council shall consider the application. The City Council shall, taking into consideration the advice and recommendations of the Planning Commission, table, grant or deny the application in accordance with the requirements of the Development Ordinance.
2. Notice and Hearing Procedure. Public hearings shall be preceded by either published notice and/or mailed notice as required by the terms of Section 203.
 - a. Publication. Notice of the purpose, time and place of a public hearing shall be published at least 10 days before the date of the hearing in the official newspaper of the City of Shoreview as designated by the City Council. Affidavits of publication shall be made a part of the record of the proceedings.
 - b. Mailed Notice. Notice of the purpose, time and place of a public hearing shall be mailed at least 10 days before the date of the hearing to each recorded owner of property within 350 feet of the perimeter of the property, which will be the subject matter of the public hearing. An affidavit containing the names of the property owners and the addresses to which the notices were mailed shall be made a part of the record of the proceedings.

REVIEW PROCESS continued

- c. Failure to Give Notice. Failure to give mailed notice, or defects in the notice shall not invalidate the proceedings provided a bona fide attempt has been made to comply with the mailed notice requirement.
3. Issuance and Conditions. If approved, the City Council may impose conditions and safeguards therein to insure that the proposed use will not be detrimental to the health, safety or general welfare of the community and that the use is in harmony with the general purpose and intent of the Development Ordinance and the Comprehensive Guide Plan. If denied, the City Council shall provide the reasons thereof.
4. Decision. The City Council has the authority to grant or deny the request in accordance with the requirements of the Development Ordinance upon majority vote of its membership, unless otherwise stated in this ordinance. Requests for text amendments, zoning district map amendments, comprehensive guide plan amendments and planned unit development – concept stage require a 4/5 majority vote of the City Council's entire membership for approval.
5. Metropolitan Council. All proposed amendments, except housekeeping amendments and amendments to the Capital Improvements Program, must be submitted by the City Manager to the Metropolitan Council and affected governmental units for comment. No amendment may be put into effect until accepted by the Metropolitan Council.

NOTES

1. An application cannot be accepted until each of the filing requirements listed above has been satisfied.
2. The purpose of requiring the data referenced in the filing requirements is to permit the City to thoroughly evaluate your proposal relative to City ordinances and policies. Refusal to provide the requested information may jeopardize the scheduling of your request for Planning Commission review. Information submitted with this application will be made available to anyone who may request it.
3. The City of Shoreview recommends that you discuss your proposal with the adjoining property owners before you submit an application. In so doing, you may address items that might be of later concern.
4. The applicant and property owner shall be responsible for paying any out-of-pocket administrative, engineering, or legal expense incurred by the City to process this application or to enforce any condition(s) of any resulting approval or permit.